

1 ROBERT S. MUELLER, III (CSBN 59775)
2 United States Attorney
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 UNITED STATES OF AMERICA,)

13 Plaintiff,)

14 v.)

15 ROBERTO RAUL CARRENO,
16 JOSE ODILIO FLORES,
17 CESAR CELEDON,
and JOSE OLVERA,)

18 Defendants.)
19

No.CR 99-0472 MJJ

VIOLATIONS: 18 U.S.C. § 1203 -
Conspiracy and Hostage Taking;
18 U.S.C. § 2 - Aiding and Abetting;
18 U.S.C. § 371 - Conspiracy to Transport
Aliens; 8 U.S.C. § 1324(a)(1)(A)(ii) and
(a)(1)(v)(II) - Transporting Aliens

SAN FRANCISCO VENUE

20 SECOND SUPERSEDING INDICTMENT

21 The Grand Jury charges:

22 COUNT ONE: (18 U.S.C. §1203)

23 On or about and between October 17, 1999 and October 19, 1999, both dates being
24 approximate and inclusive in the Northern District of California, the defendants

25 ROBERTO RAUL CARRENO,
26 JOSE ODILIO FLORES,
27 CESAR CELEDON and
28 JOSE OLVERA,

did knowingly and intentionally conspire to seize and detain, and threaten to

1 continue to detain, Carlos Gomez and Cesar Gomez, who were not nationals of the United
2 States, in order to compel a third person, namely Maria Gomez, to pay money, as an explicit and
3 implicit condition for the release of Carlos Gomez and Cesar Gomez, in violation of Title 18
4 United States Code, Section 1203.

5 OVERT ACTS

6 In furtherance of the conspiracy and to effect the objects thereof, the defendants committed
7 overt acts, including the following, in the Northern District of California:

- 8 1. On October 19, 1999 Jose Olvera spoke with Roberto Raul Carreno on the telephone in
9 San Rafael, California;
10 2. On October 19, 1999 Roberto Raul Carreno returned \$500 to Jaime Pineda-Lemos in San
11 Rafael, California;
12 3. On October 19, 1999 Jose Flores stood guard in a van in San Rafael, California;
13 4. On October 19, 1999 Roberto Raul Carreno and Jose Odilio Flores traveled from San
14 Rafael to Oakland, California.

15 All in violation of Title 18 United States Code, Section 1203.

16 COUNT TWO: (18 U.S.C. § 1203 and § 2)

17 On or about October 19, 1999, in the Northern District of California, and elsewhere, the
18 defendants

19 ROBERTO RAUL CARRENO,
20 JOSE ODILIO FLORES,
21 CESAR CELEDON and
22 JOSE OLVERA

23 did seize and detain, and threaten to continue to detain, Carlos Gomez, not a national of the
24 United States, in order to compel a third person, namely Maria Gomez, to pay money, as an
25 explicit and implicit condition for the release of Carlos Gomez, in violation of Title 18, United
26 States Code, Sections 1203 and 2.

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1 COUNT THREE: (U.S.C. § 1203 and § 2)

2 On or about October 19, 1999, in the Northern District of California, the defendants

3 ROBERTO RAUL CARRENO,
4 JOSE ODILIO FLORES,
5 CESAR CELEDON and
6 JOSE OLVERA,

7 did seize and detain, and threaten to continue to detain, Cesar Gomez, not a national of the
8 United States, in order to compel a third person, namely Maria Gomez, to pay money, as an
9 explicit and implicit condition for the release of Cesar Gomez, in violation of Title 18, United
10 States Code, Sections 1203 and 2.

11 COUNT FOUR: (18 U.S.C. § 371)

12 1. At all relevant times, the defendant Jose Olvera owned and operated Olvera Van Tours
13 located in Houston, Texas. Olvera received undocumented aliens recently arrived without
14 authority from outside the United States, arranged for their transportation by automobile and van,
15 provided temporary lodging, and directed their transportation outside of the state of Texas. Jose
16 Olvera supervised the actions of employees and gave instructions to employees including Jose
17 Nava Reyes.

18 2. At all relevant times, the defendants Roberto Raul Carreno and Jose Odilio Flores took
19 custody of aliens at Olvera Tours in Houston, Texas and drove them to various destinations in
20 the United States, collecting and attempting to collect upon arrival the balance of fees charged
21 the aliens .

22 3. At all relevant times, the defendant Cesar Celedon arranged for the transportation of
23 undocumented aliens who arrived in the United States from Mexico and other foreign countries
24 without authorization to the United States and provided temporary shelter for aliens until the
25 arrangements for their transportation outside of the state of Texas were made with Olvera Tours.

26 4. On or about and between July 1, 1997, and between October 19, 1999, both dates being
27 approximate and inclusive in the Northern District of California, and elsewhere, the defendants

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1 ROBERTO RAUL CARRENO,
2 JOSE ODILIO FLORES,
3 CESAR CELEDON, and
4 JOSE OLVERA,

5 and others, did knowingly and intentionally combine, conspire, to commit an offense against the
6 United States, that is, in knowing and reckless disregard that aliens had come to, entered and
7 remained in the United States, in violation of law, transport such aliens in furtherance of such
8 violation of law, in violation of Title 8, United States Code, Section §1324(a)(1)(A)(ii).

9 OVERT ACTS

10 In furtherance of the conspiracy and to effect the objects thereof, the defendants
11 committed overt acts, including the following, in the Northern District of California, and
12 elsewhere:

13 1. On October 17, 1999 Jose Olvera spoke on the telephone with Maria Gomez in San
14 Rafael, California.

15 2. On October 19, 1999 Roberto Raul Carreno drove a van into the Montecito Shopping
16 Center in San Rafael, California.

17 3. On October 19, 1999 Jose Odilio Flores gave instructions to passengers waiting in a van
18 in San Rafael, California.

19 4. On October 19, 1999 Roberto Raul Carreno obtained \$500 in U.S. currency from Jaime
20 Pineda-Lemos in San Rafael, California.

21 All in violation of Title 18, United States Code, Section 371.

22 COUNT FIVE: (8 U.S.C. §§ 1324(a)(1)(A)(ii) and (a)(1)(v)(II))

23 On or about and between October 16, 1999 and October 19, 1999, in the Northern District of
24 California, and elsewhere, the defendants

25 ROBERTO RAUL CARRENO,
26 JOSE ODILIO FLORES,
27 CESAR CELEDON, and
28 JOSE OLVERA,

29 knowing and in reckless disregard of the fact that an alien, namely Carlos Gomez, had come to,
30 entered and remained in the United States in violation of law, did transport such alien within the
31 United States, in furtherance of such violation of law, in violation of Title 8, United States Code,

1 Sections 1324(a)(1)(A)(ii) and (a)(1)(v)(II).

2 COUNT SIX: (8 U.S.C. §§ 1324(a)(1)(A)(ii) and (a)(1)(v)(II))

3 On or about October 16, 1999, and between October 19, 1999, in the Northern District of
4 California, and elsewhere, the defendants

5 ROBERTO RAUL CARRENO,
6 JOSE ODILIO FLORES,
7 CESAR CELEDON, and
8 JOSE OLVERA,

9 knowing and in reckless disregard of the fact that an alien, namely Cesar Gomez, had come to,
10 entered and remained in the United States in violation of law, did transport such alien within the
11 United States, in furtherance of such violation of law, in violation of Title 8, United States Code,
12 Sections 1324(a)(1)(A)(ii) and (a)(1)(v)(II).

13 COUNT SEVEN: (8 U.S.C. §§ 1324(a)(1)(A)(ii) and (a)(1)(v)(II))

14 On or about October 16, 1999, and between October 19, 1999, in the Northern District of
15 California, and elsewhere, the defendants

16 ROBERTO RAUL CARRENO,
17 JOSE ODILIO FLORES,
18 CESAR CELEDON, and
19 JOSE OLVERA,

20 knowingly and in reckless disregard of the fact that an alien, namely Loida Perez-Velasquez, had
21 come to, entered, and remained in the United States in violation of law, did transport such alien
22 within the United States, in furtherance of such violation of law, in violation of Title 8, United
23 States Code, Sections 1324(a)(1)(A)(ii) and (a)(1)(v)(II).

24 COUNT EIGHT: (8 U.S.C. §§ 1324(a)(1)(A)(ii) and (a)(1)(v)(II))

25 On or about October 16, 1999, to on or about October 19, 1999, in the Northern District of
26 California, and elsewhere, the defendants

27 ROBERTO RAUL CARRENO,
28 JOSE ODILIO FLORES,
CESAR CELEDON, and
JOSE OLVERA,

knowing and in reckless disregard of the fact that an alien, namely Reyna Guitierrez-Ruiz, had
come to, entered and remained in the United States in violation of law, did transport such alien

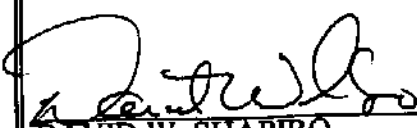
1 within the United States, in furtherance of such violation of law, in violation of Title 8, United
2 States Code, Sections 1324(a)(1)(A)(ii) and (a)(1)(v)(II).

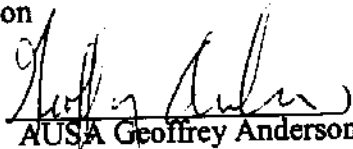
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4 DATED:

A TRUE BILL.

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6 FOREPERSON

7 ROBERT S. MUELLER, III
8 United States Attorney

9 
10 DAVID W. SHAPIRO
11 Chief, Criminal Division

12 (Approved as to form: 
13 AUSA Geoffrey Anderson

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SUPERSEDING INDICTMENT